

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CINCINNATI INSURANCE CO.,	:	NO. 1:02-CV-00521
	:	
Plaintiff,	:	
	:	ORDER
v.	:	
	:	
ALLIED CONSTRUCTION GROUP,	:	
INC., et al.,	:	
	:	
Defendants.	:	

This matter is before the Court on the Notice of Bankruptcy of Defendants Thomas E. Zimmer and Cynthia A. Zimmer (doc. 13). Defendants Thomas and Cynthia Zimmer request that all parties in this matter take no further action in this matter as they are protected under the automatic stay provisions of the bankruptcy code (Id.).

Having reviewed this matter, the Court finds it appropriate to stay this matter as to the individual Zimmer Defendants. However, the Court does not find the bankruptcy stay applicable to the other Defendants in this matter. Moreover, the Court finds that Defendant Allied Construction Group is alleged in the Complaint to be an Ohio corporation. Defendants are advised that business entities must be represented by counsel so as to avoid the unauthorized practice of law. Individuals who are parties to federal proceedings have the right to represent themselves personally without a lawyer. 28 U.S.C. § 1654. However, that right does not extend to permit them to represent other people or entities. See Rowland v. Men's Colony, 506 U.S.

194, 201-202 (1993)("it has been the law for the better part of two centuries...that a corporation may appear in the federal courts only through licensed counsel"); see also Doherty v. American Motors Corp., 728 F.2d 334, 340 (6th Cir. 1984)("The rule of this circuit is that a corporation cannot appear in federal court except through an attorney."); Union Savings Ass'n v. Home Owners Aid, Inc., 23 Ohio St. 2d 60, 64, 262 N.E.2d 558, 561 (1970) (corporation is an artificial person created by the legislature and is not entitled to appear in court through a non-lawyer agent); Palmer v. Westmeyer, 48 Ohio App. 3d 296, 549 N.E.2d 1202 (Ohio Ct. App. 1988) (corporate officer who is not a lawyer may not maintain pro se litigation on behalf of corporation).

Accordingly the Court STAYS this matter as to the individual Defendants Thomas and Cynthia Zimmer. However, this matter is not stayed as to any of the other named Defendants in this matter. Finally, the Court ORDERS Defendant Allied Construction Group, Inc., to seek counsel who shall enter an appearance forthwith.

SO ORDERED.

Date: December 17, 2003

/s/ S. Arthur Spiegel
S. Arthur Spiegel
United States Senior District Judge